

Calvo, Estrella

From: Calvo, Estrella
Sent: Tuesday, February 04, 2014 9:44 AM
To: 'jthomson@thetford.com'
Subject: 2013 Pesticide Reports for Pesticide-Producing and Device-Producing Establishments (EPA Form 3540-16) for EPA Establishment Number (EPA Est. No.) 26601-MI-001

Importance: High

Mr. Lorek,

On or about February 3, 2014, EPA received a 2013 Pesticide Reports for Pesticide-Producing and Device-Producing Establishments (EPA Form 3540-16) for EPA Establishment Number (EPA Est. No.) 26601-MI-001. Please be advised that EPA's records show that the establishment under EPA Est. No. 26601-MI-001 is no longer an active EPA registered establishment. Our records show that the establishment's registration was cancelled on or about January 6, 1989. **Please explain in writing and on company letterhead why Thetford Corporation is reporting production in an establishment (EPA Est. No. 26601-MI-001) not registered with EPA. Also include in your response the timeframe for which Thetford Corporation has been producing pesticides or devices at 7101 Jackson Road, Ann Arbor, Michigan 48013. Your response must be received no later than close of business Friday, February 14, 2014.**

Please note that no person shall produce any pesticide subject to FIFRA in any state unless the establishment in which it is produced is registered with the Administrator of the EPA. The term "produce" is defined by statute and regulation as to manufacture, prepare, propagate, compound, or process any pesticide, including any pesticide produced pursuant to Section 5 of FIFRA, any active ingredient or device, or to package, repack, label, relabel, or otherwise change the container of any pesticide or device. Therefore, you must take all necessary measures to preclude any pesticide and/or device production at your establishment not in compliance with FIFRA. Unlawful acts under FIFRA are subject to the civil and criminal penalty provisions of Section 14(a) of the Act, 7 U.S.C. § 1361(a).

Please confirm receipt of this electronic mail.

Regards,
Estrella Calvo

Estrella Calvo
Environmental Scientist / Enforcement Officer
Pesticides and Toxics Compliance Section
U.S. EPA, Region 5 (LC-8J)
77 West Jackson Boulevard
Chicago, Illinois 60604

Phone: (312) 353-8931
Fax: (312) 582-5157

calvo.estrella@epa.gov

MEMORANDUM

SUBJECT: Adjustment Factors for Thetford Corporation

FROM: Terry Bonace
Life Scientist

TO: David Star, Chief
Pesticides and Toxics Compliance Section

The initial proposed penalty for Thetford Corporation was \$5,005. This penalty was mitigated 14 percent for cooperation to \$4,300. Thetford Corporation acted quickly and cooperatively in properly registering its establishment and coming into compliance.

Chemicals Management Branch
CORRESPONDENCE FOR
SECTION CHIEF'S REVIEW

Type of Document: Consent Agreement and Final Order **File No.** 15FI060

Name of Document: Thetford Corporation

Document: _____ **Originator/Phone:** Terry Bonace, 6-3387

NOTE: Originator and first level supervisor are responsible for assuring that documents are in plain language. All other reviewers should consider plain language in their reviews.

Date	Name	Secretary/Chief Initials
12/31/14	Author: <u>TJB</u>	
12/31/14 <i>for</i>	David Star, Chief <u>TJB</u> Pesticides and Toxics Compliance Section	

Return to: _____ **Correction Required** _____

(attach official file copy/return w/originator's copy)

REMARKS/COMMENTS: _____

